

PATENT
SYRTECH-5002-C9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: } Group Art Unit: 1765
 Peter R. David } Examiner: Robert M. Kunemund
 Serial No.: 10/060,922 }
 Filed: January 29, 2002 }
 For: MICROVOLUME DEVICE }
 EMPLOYING FLUID MOVEMENT }
 BY CENTRIFUGAL FORCE }
 _____ }

FAX RECEIVED
JUL 21 2003
TC 1700

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449. As Applicant believes that a copy of each of the items identified on the attached form PTO-1449 have previously been made of record for this application, copies are not being submitted with this IDS. However, if the Examiner would like copies of the cited references, Applicant will provide the references upon request.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35

CERTIFICATE OF MAILING
 (Via Facsimile)

I hereby certify that this paper (along with any referred to as being attached) is being transmitted via facsimile to Facsimile No. (703) 872-9310 on the date shown below addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

 July 18, 2003

 Date of Deposit

 Linda Johnson
 Name of Person Mailing Paper
 Linda Johnson
 Signature of Person Mailing Paper

PATENT
SYRTECH-5002-C9

USC § 102 with respect to this invention unless specifically designated by Applicant as such.

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

The fee due under 37 CFR § 1.17(p) is submitted herewith.

A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

PATENT
SYRTECH-5002-C9

No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

A check in the amount of _____ is enclosed for the above fee(s).
 Please charge to Deposit Account No. **50-2256** for the above fee(s).

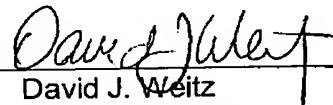
Although Applicant does not believe any fees are required, the Commissioner is authorized to charge any fees required by the filing of these papers to Syrrx's Deposit Account No. **50-2256**.

Respectfully submitted,

SYRRX, INC.

Dated: July 18, 2003

By:



David J. Weitz
Reg. No. 38,362
General Counsel, V.P. of Intellectual
Property and Secretary

Customer No. **32793**
Syrrx, Inc.
10410 Science Center Drive
San Diego, CA 92121
Tel: (858) 622-8528
Fax: (858) 550-0992

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

1

Complete If Known	
Application Number	10/060,922
Filing Date	January 29, 2002
First Named Inventor	Peter R. David
Group Art Unit	1765
Examiner Name	Robert M. Kunemund
Attorney Docket Number	SYRTECH-5002-C9

TC 1700
JUL 21 2003

FAX RECEIVED

U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No. ¹	Document Number	Publication Date/ Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
AA	US-4,908,112		03-13-1990	Pace	
AB	US-5,132,012		07-21-1992	Miura et al.	
AC	US-5,180,480		01-19-1993	Manz	
AD	US-5,296,114		03-22-1994	Manz	
AE	US-5,485,270		01-16-1996	Freud et al.	
AF	US-6,267,935		07-31-2001	Hol et al.	
AG	US-2001/0011071 A1		08-02-2001	Knudsen et al.	
AH	US-2002/0029814 A1		03-14-2002	Unger et al.	
AI	US-6,409,832		06-25-2002	Weigl et al.	
AJ	US- 2002/0144738 A1		10-10-2002	Unger et al.	
AK	US- 2002/0145231 A1		10-10-2002	Quake et al.	
AL	US- 2003/0081687 A1		04-03-2003	Hansen et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ - Number ⁴ - Kind Code ² (if known)			
AM		WO 93/06479	04-01-1993	The Dow Chemical Company	
AN		WO 00/60345	10-12-2000	DeLucas et al.	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	A0	WILSON et al., "Control of solvent evaporation in hen egg white lysozyme crystallization", Journal of Crystal Growth, Vol. 116 (1992), pp. 414-420.			

Examiner Signature	Date Considered
--------------------	-----------------

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

²Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.